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EXAMINER

SINGH, SATWANT K

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Amendment

1. This office action is in response to the amendment filed on 11 October 2007.

Response to Arguments

2. Applicant's arguments with respect to claims 1 and 20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3, 5-10, 12-17, and 20-25 rejected under 35 U.S.C. 103(a) as being unpatentable over Abram et al. (US 2002/0003631).
5. Regarding Claim 1, Abram et al teach a method of producing a piece of artwork using a computer-controlled color printer capable of printing at least three colors, comprising: a) inputting or selecting a multicolor image so that it is provided in the computer (user loads a digital image into a client) (page 2, paragraph [0025]); b) selectively disabling one or more of the colors, while not disabling all of the colors besides black, of the printer to insure little or none of the one or more disabled colors is printed by the printer (Fig. 9, S910-920) (page 3, paragraphs [0038]-[0039]); c) with the printer, printing the non-disabled color or colors of the image onto a substrate (Fig. 9, S925) (page 3, paragraph [0040]).

Abram et al does not specifically teach d) acting upon the substrate from c) to add artistic elements to the substrate to produce artwork.

As is well known, the purpose of a coloring book is to allow a user to manually color the image. This may involve paints, crayons, markers or many other methods.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to let the user color the printed color book image as they wish.

6. Regarding Claim 3, Abram teaches a method, printing onto a substrate of paper or canvas (Fig. 9, S925) (page 3, paragraph [0040]).

7. Regarding Claim 5, Abram et al does not specifically teach a method, practiced by manually applying colored paints to spaced portions of the substrate.

As is well known, the purpose of a coloring book is to allow a user to manually color the image. This may involve paints, crayons, markers or many other methods.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to let the user color the printed color book image as they wish.

8. Regarding Claim 6, Abram et al does not specifically teach a method, practiced by manually applying texture to spaced portions of the substrate using a palette knife, eye-dropper, or the like.

As is well known, the purpose of a coloring book is to allow a user to manually color the image. This may involve paints, crayons, markers or many other methods.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to let the user color the printed color book image as they wish.

9. Regarding Claim 7, Abram et al teaches a method, practiced to fully disable one or more colors (Fig. 2, S910-920) (page 3, paragraphs [0038]-[0039]).
10. Regarding Claim 8, Jam et al teaches a method, practiced to only partially disable one or more colors (Fig. 2, S910-920) (page 3, paragraphs [0038]-[0039]).
11. Regarding Claim 9, Abram et al teaches a method, practiced to disable black and near black (Fig. 2, S910-920) (page 3, paragraphs [0038]-[0039]).
12. Regarding Claim 10, Abram et al teaches a method, using a thermal ink-jet printer (printer) (page 2, paragraph [0029]).
13. Regarding Claim 12, Abram et al teach a method, wherein the multicolor image of a) is a digital photograph (digital image) (page 2, paragraph [0025]).

Abram et al does not specifically teach wherein d) is practiced to manually acting on the substrate.

As is well known, the purpose of a coloring book is to allow a user to manually color the image. This may involve paints, crayons, markers or many other methods.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to let the user color the printed color book image as they wish.

14. Regarding Claim 13, Abram teaches wherein the digital photograph is taken by an artist and input into the computer by the artist (digital image) (page 2, paragraph [0025]).

Abram et al does not specifically teach wherein a)-d) is practiced to produce a pseudo-abstract final art work.

As is well known, the purpose of a coloring book is to allow a user to manually color the image. This may involve paints, crayons, markers or many other methods.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to let the user color the printed color book image as they wish.

15. Regarding Claim 14, Abram et al teaches a method, practiced to disable black and near black (Fig. 2, S910-920) (page 3, paragraphs [0038]-[0039]).

16. Regarding Claim 15, Abram teaches a piece of paper or canvas comprising a pseudo-abstract art work (printed image) (page 3, paragraph [0040]).

17. Regarding Claim 16, Abram et al does not specifically teach a method used in a curriculum to teach art to children.

As is well known, students are often given coloring book images to color during school.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to use the printed coloring book image to teach student how to color.

18. Regarding Claim 17, Abram et al teaches a method wherein b) is practiced using software in a computer controlling a printer (Fig. 2, computer system 200) (page 2, paragraph [0029]).

19. Regarding Claim 20, Abram et al teaches a method of producing a work of art using a thermal ink-jet printer having an active black ink cartridge and at least one active primary color ink cartridge, and controlled by a computer, comprising: a) inputting or selecting a multicolor image so that it is provided in the computer (user loads a digital image into a client) (page 2, paragraph [0025]); b) controlling the printer with software

(cpu coupled to printer) (page 2, paragraph [0029]), to disable from about 80-100% the capability of the printer to print black and near black while not significantly disturbing operation of the active primary colors cartridge (Fig. 9, S910-920) (page 3, paragraphs [0038]-[0039]); c) with the printer, printing a substantially accurate representation of the image, but without about 80-100% of the black and near black onto a substrate of paper or canvas (Fig. 9, S925) (page 3, paragraph [0040]).

Abram et al does not specifically teach d) further acting upon the substrate to manually act upon the substrate acting upon the substrate from c) to manually add artistic elements to the substrate to produce an artwork.

As is well known, the purpose of a coloring book is to allow a user to manually color the image. This may involve paints, crayons, markers or many other methods.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to let the user color the printed color book image as they wish.

20. Regarding Claim 21, Abram does not specifically teach a method wherein d) is practiced by manually adding acrylic paint to spaced portions of the substrate to provide colors and textures not present in the original image.

As is well known, the purpose of a coloring book is to allow a user to manually color the image. This may involve paints, crayons, markers or many other methods.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to let the user color the printed color book image as they wish.

21. Regarding Claim 22, Abram et al teaches a method, wherein c) is practiced so that the substrate is at least thirty pound matte paper (Fig. 9, S925) (coloring book

image printed) (page 3, paragraph [0040]), and wherein a) is practiced by using a digital color photogram as the image (user loads a digital image into a client) (page 2, paragraph [0025]).

22. Regarding Claim 23, Abram et al does not specifically teach a method, wherein d) is further practiced by adding illustrated objects foreign materials or effects to spaced portions of the substrate.

As is well known, the purpose of a coloring book is to allow a user to manually color the image. This may involve paints, crayons, markers or many other methods.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to let the user color the printed color book image as they wish.

23. Regarding Claim 24, Abram et al teaches a method of teaching art to children using a computer-controlled printer capable of printing at least three colors, comprising: a) inputting or selecting a multicolor image so that it is provided in the computer (user loads a digital image into a client) (page 2, paragraph [0025]); b) selectively disabling one or more of the colors, while not disabling all of the colors besides black, of the printer to insure little or none of the one or more disabled colors is printed by the printer (Fig. 9, S910-920) (page 3, paragraphs [0038]-[0039]); c) with the printer, printing the non-disabled color or colors of the image onto a substrate (Fig. 9, S925) (page 3, paragraph [0040]).

Abram et al does not specifically teach d) instructing the children to manually act upon the substrate acting upon the substrate from c) to manually add artistic elements to the substrate to produce artwork.

As is well known, the purpose of a coloring book is to allow a user to manually color the image. This may involve paints, crayons, markers or many other methods.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to let the user color the printed color book image as they wish.

24. Regarding Claim 25, Abram et al teaches a method, wherein b) is practiced to disable from about 80-100% the capability of the printer to print black and near black (Fig. 9, S910-920) (page 3, paragraphs [0038]-[0039]).

25. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Abram et al in view of Kohno (US 6,749,282).

26. Regarding Claim 11, Abram et al fails to teach using an ink-jet printer having a black ink cartridge as well as at least one primary color ink cartridge, and removing the active black ink cartridge from the printer to thereby disable printing with black ink.

Kohno teaches a method, using an ink-jet printer having a black ink cartridge as well as at least one primary color ink cartridge (head cartridge 200); removing the active black ink cartridge from the printer to thereby disable printing with black ink (removing ink tanks) (col. 5, lines 43-59).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Abram with the teaching of Kohno to allow for the removal of the black ink tank to prevent monochrome printing.

Conclusion

27. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satwant K. Singh whose telephone number is (571) 272-7468. The examiner can normally be reached on Monday thru Friday 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Satwant Singh
sks

Satwant K. Singh
Examiner
Art Unit 2625

[Signature]

THOMAS D. LEE
EXAMINER